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UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
San Francisco Division

In re

BENJA INCORPORATED

Debtor

KYLE EVERETT, TRUSTEE
Plaintiff

vs.

THOMAS B. PETERS
Defendant

Case No. 20-30819 DM

Chapter 7

Case No. 21-03060 DM

DATE: January 28, 2022

TIME: 10:30 a.m.

JUDGE: Honorable Dennis Montali

NOTICE OF HEARING ON MOTION TO DISMISS

1 PLEASE TAKE NOTICE THAT on January 28, 2022 at 10:30 a.m. Defendant Tom Peters will
2 move the Honorable Dennis Montali, United States Bankruptcy Judge, to dismiss the First and Second
3 Claims for Relief herein on the grounds that they seek relief for transfers made “with actual fraudulent
4 intent,” but the allegations of fraud have not been made with the particularity required by Fed. R. Civ. P.
5 9(b); Fed. R. Bankr. P. 7009.
6

7 PLEASE TAKE FURTHER NOTICE THAT the foregoing hearing will not be conducted in the
8 presiding judge’s courtroom but instead will be conducted by telephone or video. All interested parties
9 should consult the Bankruptcy Court’s website at www.canb.uscourts.gov for information about court
10 operations during the COVID-19 pandemic. The Bankruptcy Court’s website provides information
11 regarding how to arrange a telephonic or video appearance. If you have any questions regarding how to
12 appear at a court hearing, you may contact the Bankruptcy Court by calling 888-821-7606 or by using
13 the Live Chat feature on the Bankruptcy Court’s website.
14

15 PLEASE TAKE FURTHER NOTICE THAT any opposition to the Motion must be served and
16 filed with the Court no later than January 14, 2022.
17

18 Copies of the moving papers are available upon request to the undersigned counsel.

19 DATED: December 26, 2021

ST. JAMES LAW, P.C.

21 By: /s/ Michael St James .
22 Michael St. James
23 Counsel for Defendants
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